



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re Application of* )  
Michael L. VAZQUEZ *et al.* ) Group Art Unit: 1621  
Serial No. 10/750,213 ) Examiner: TBA  
Filed: January 2, 2004 ) Atty. Docket 101765.00005 (2703/9/DIV)

For: SULFONYLALKANOYLAMINO HYDROXYETHYLAMINO SULFONAMIDES USEFUL AS RETROVIRAL PROTEASE INHIBITORS

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

U.S. Patent and Trademark Office  
220 20<sup>th</sup> Street S.  
Customer Window, Mail Stop Missing Parts  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated April 14, 2004, Applicants request a two-month extension of time to respond from June 14, 2004 up to and including August 16, 2004, (August 14<sup>th</sup> is a Saturday). Applicants respectfully submit that the **\$1854 additional claim fee indicated on the Notice to File Missing Parts is incorrect** in view of the Preliminary Amendment filed January 2, 2004, canceling claims 1-123 and introducing 6 claims (1 independent claim and 5 dependent claims) for prosecution in the above-captioned patent application. A copy of this Preliminary Amendment and a copy of the stamped postcard acknowledging receipt of the same are enclosed.

Applicants authorize the Commissioner to charge \$1320 to our Deposit Account No. 19-0733 for the following fees: the statutory basic filing fee of \$770, the missing parts surcharge of

\$130, and the fee for a two-month extension of time of \$420. No additional fees are believed to be due. However, should any additional fees be required or an overpayment of fees made, please credit or debit our Deposit Account No. 19-0733, as needed.

In addition to the Preliminary Amendment, Applicants submit herewith a copy of the Notice to File Missing Parts of Nonprovisional Application together with a Fee Transmittal for FY 2004, and a Petition For Extension of Time Under 37 CFR 1.136(a).

It is believed that all Patent and Trademark Office requirements have now been fully met and it is respectfully requested that the above-captioned patent application be forwarded for examination.

Respectfully submitted,

By:   
Joseph M. Skerpon  
Reg. No. 29,864

Date: August 16, 2004

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Washington, D.C. 20001  
(202) 824-3000

Attachments:

- (1) Preliminary Amendment filed January 2, 2004
- (2) Stamped Postcard Acknowledging Receipt of the Preliminary Amendment
- (3) Copy of Notice to File Missing Parts of Nonprovisional Application
- (4) Fee Transmittal for FY 2004
- (5) Petition for Extension of Time Under 37 CFR 1.136(a)

AUG 16 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1320)

## Complete If Known

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/750,213         |
| Filing Date          | January 2, 2004    |
| First Named Inventor | Michael L. Vazquez |
| Examiner Name        | TBA                |
| Art Unit             | 1621               |
| Attorney Docket No.  | 101765.00005       |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money  Other  None  
 Order
  Deposit Account:Deposit  
Account  
Number

19-0733

Deposit  
Account  
Name

Banner &amp; Witcoff, LTD.

## The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.
 

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) |                        |          |
| 1001 770      | 2001 385      | Utility filing fee     | 770      |
| 1002 340      | 2002 170      | Design filing fee      |          |
| 1003 530      | 2003 265      | Plant filing fee       |          |
| 1004 770      | 2004 385      | Reissue filing fee     |          |
| 1005 160      | 2005 80       | Provisional filing fee |          |
| SUBTOTAL (1)  |               |                        | (\$ 770) |

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | [ ] - ** = 0 | X [ ]          | = 0      |
| Independent Claims | [ ] - ** = 0 | X [ ]          | = 0      |
| Multiple Dependent | 0            | X 290          | = 0      |

| Large Entity  | Small Entity  | Fee Description   |
|---------------|---------------|---|
| Fee Code (\$) | Fee Code (\$) |   |
| 1202 18       | 2202 9        | Claims in excess of 20  |
| 1201 86       | 2201 43       | Independent claims in excess of 3   |
| 1203 290      | 2203 145      | Multiple dependent claim, if not paid<br>** Reissue independent claims over original patent |
| 1204 86       | 2204 43       | ** Reissue claims in excess of 20 and over original patent                                  |
| 1205 18       | 2205 9        |   |
| SUBTOTAL (2)  |               | (\$ 0)  |

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity                      | Small Entity  | Fee Description  | Fee Paid |
|-----------------------------------|---------------|--|----------|
| Fee Code (\$)                     | Fee Code (\$) |  |          |
| 1051 130                          | 2051 65       | Surcharge - late filing fee or oath  | 130      |
| 1052 50                           | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                          | 1053 130      | Non-English specification  |          |
| 1812 2,520                        | 1812 2,520    | For filing a request for reexamination                                     |          |
| 1804 920*                         | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                       | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                          | 2251 55       | Extension for reply within first month                                     |          |
| 1252 420                          | 2252 210      | Extension for reply within second month                                    | 420      |
| 1253 950                          | 2253 475      | Extension for reply within third month                                     |          |
| 1254 1,480                        | 2254 740      | Extension for reply within fourth month                                    |          |
| 1255 2,010                        | 2255 1,005    | Extension for reply within fifth month                                     |          |
| 1401 330                          | 2401 165      | Notice of Appeal   |          |
| 1402 330                          | 2402 165      | Filing a brief in support of an appeal                                     |          |
| 1403 290                          | 2403 145      | Request for oral hearing   |          |
| 1451 1,510                        | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 110                          | 2452 55       | Petition to revive – unavoidable   |          |
| 1453 1,330                        | 2453 665      | Petition to revive – unintentional   |          |
| 1501 1,330                        | 2501 665      | Utility issue fee (or reissue)   |          |
| 1502 480                          | 2502 240      | Design issue fee   |          |
| 1503 640                          | 2503 320      | Plant issue fee  |          |
| 1460 130                          | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50                           | 1807 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806 180                          | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                           | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770                          | 2809 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810 770                          | 2810 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801 770                          | 2801 385      | Request for Continued Examination (RCE)                                    |          |
| 1802 900                          | 1802 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____         |               |  |          |
| *Reduced by Basic Filing Fee Paid |               | SUBTOTAL (3)   | (\$ 550) |

## SUBMITTED BY

## Complete (if applicable)

|                      |                   |                                      |        |           |                 |
|----------------------|-------------------|--------------------------------------|--------|-----------|-----------------|
| Name<br>(Print/Type) | Joseph M. Skerpon | Registration No.<br>(Attorney/Agent) | 29,864 | Telephone | 202-824-3000    |
| Signature            | [Signature]       |                                      |        | Date      | August 16, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

AUG 16 2004  
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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER    |
|--------------------|------------------------|-----------------------|---------------------------|
| 10/750,213         | 01/02/2004             | Michael L. Vazquez    | 101765.00005 (2703/9/DIV) |

**CONFIRMATION NO. 6652**

**FORMALITIES LETTER**



\*OC000000012349771\*

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

Date Mailed: 04/14/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1854** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2754** for a Large Entity

|   |         |          |        |          |
|---|---------|----------|--------|----------|
| 08/18/2004                                  | MAHMED1 | 00000123 | 190733 | 10750213 |
| • \$770 Statutory basic filing fee.         | 01      | FC:1001  | 770.00 | DA       |
| • \$130 Late oath or declaration Surcharge. | 02      | FC:1051  | 130.00 | DA       |

- Total additional claim fee(s) for this application is **\$1854**

- \$1854 for 103 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

# COPY

|  |             |   |
|--|-------------|---|
| <input checked="" type="checkbox"/> PATENT <input type="checkbox"/> DESIGN    B&W Ref. 101765.0005             |             | Date 1-2-04   |
| <input type="checkbox"/> HAND CARRY Group Section  |             |   |
| Scrapbook  |             | <input type="checkbox"/> B&W  |
| Inventor   |             | <input type="checkbox"/> Name   |
| The Inventor is the original owner of the trademark or service mark and has the right to sue for infringement. |             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| Subsequent to filing, if the application is abandoned, the inventor may file a new application.                |             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| The following has been received in the U.S. Patent and Trademark Office on the date stamped below:             |             | <input type="checkbox"/> Assignment<br><input type="checkbox"/> Power of Attorney<br><input type="checkbox"/> Drawing<br><input type="checkbox"/> Final<br><input type="checkbox"/> Informal<br><input type="checkbox"/> Letter<br><input type="checkbox"/> Motion<br><input type="checkbox"/> Notice<br><input type="checkbox"/> Office Action<br><input type="checkbox"/> Other<br><input type="checkbox"/> Response<br><input type="checkbox"/> Search Report<br><input type="checkbox"/> Statement of Invention<br><input type="checkbox"/> Translated Document |
| Assignment w/o Cover Sheet   |             | <input type="checkbox"/> Enclosed <input type="checkbox"/> Unenclosed   |
| DS-1049 References   |             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| Assignment/Amendment   |             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| Priority/Foreign U.S. Provisional B&W  |             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| Country  | Appl'd Date | Date JAN 02 2004  |
| <input type="checkbox"/> (Foreign) Prior Document  |             | <input type="checkbox"/> Assignment/Change of Control   |
| <input type="checkbox"/> Application   |             | <input type="checkbox"/> Continuation   |
| Patent Ser. No.  |             | <input type="checkbox"/> Divisional   |
| <input type="checkbox"/> U.S. Response   |             | <input type="checkbox"/> International Application Group Designation  |
| <input type="checkbox"/> Response to Missing Pats/Requirements of  |             | <input type="checkbox"/> Assignment   |
| <input type="checkbox"/> Response to Notice to File Corrected Answer Papers                                    |             | <input type="checkbox"/> Continuation of Application  |
| <input type="checkbox"/> Request for Extension of Priority Filing Date   |             | <input type="checkbox"/> Continuation-in-part   |
| <input type="checkbox"/> Request for Correction  |             | <input type="checkbox"/> Filing Power   |
| <input type="checkbox"/> Response to Restriction/Election Requirement  |             | <input type="checkbox"/> Assignment   |

